

NORTHAMPTON BOARD OF HEALTH

REVISED

REGULATIONS GOVERNING EMISSIONS FROM SOLID FUEL BURNING DEVICES

PURPOSE:

These regulations have been adopted pursuant to Massachusetts General Laws Chapter 111, Section 31C as a means of reducing the smoke emissions from wood stoves and similar solid fuel burning devices in the City of Northampton.

DEFINITIONS:

Opacity: is a measure of the density of smoke, per CFR, Title 40, Part 60.

Owner: means the owner of any solid fuel burning device and/or the authorized agent of the owner and/or the person who has overall responsibility for the operation of a solid fuel burning device.

SOLID FUEL

Burning Device: means any fireplace, fireplace insert, wood stove, wood heater, wood furnace, coal furnace, coal stove or similar device burning any solid fuel for aesthetic, cooking, or space heating purposes.

REGULATION:

Only wood can be burned as fuel; and all wood intended to be used as fuel such as trees, cordwood, logs, Lumber, sawdust, and wood from manufacturing processes (butt offs, shavings, turnings, sander dust) wood pellets, slabs, bark, chips waste pallets. Materials and wood or wood products chemically treated with any preservative such as paint, oil base product or pressure treated, trash, or garbage are strictly prohibited to burn in wood stoves or fireplaces. Smoke emission from any permitted solid fuel in this section solid use in a fuel burning device (wood stove or fireplace) shall not exceed 40% opacity for a period of 2 minutes except during a 15 minute start up period.

ENFORCEMENT:

This regulation will be enforced by the Board of Health based on opacity readings taken by opacity observers, certified in accordance with the provisions of CFR Title 40, Part 60.

PENALTY:

The owner of any solid fuel burning device operated in violation of these regulations shall be punished for the first offense, by a fine of not less than fifty dollars nor more than one hundred dollars and for a subsequent offense, by a fine of not less than two hundred dollars nor more than five hundred dollars. For the purpose of this paragraph each day or part thereof of violation of these regulations whether such violation be continuous or intermittent shall be construed as a separate and succeeding offense.

APPEAL:

An owner may appeal an order to correct a violation of these regulations provided that a written request for a hearing is filed in the Board of Health Office within 7 days of the receipt of the violation notice.

EFFECTIVE DATE:

Following approval by the Mass. DEQE these regulations will become effective on the date of publication.

REVISION EFFECTIVE: JANUARY 12, 1987